

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE COMMISSIONER OF THE NEW YORK
CITY DEPARTMENT OF SOCIAL SERVICES,

Plaintiff,

v.

BUCKEYE COACH LLC; CARDUAN TOURS
LLC; CLASSIC ELEGANCE COACHES LLC;
COASTAL CREW CHANGE COMPANY LLC;
EJECUTIVO ENTERPRISES INC.; EL PASO
UNITED CHARTERS LLC; GARCIA AND
GARCIA ENTERPRISES INC. (D.B.A.
FRANCISCO TOURS); JY CHARTER BUS INC.;
LILY'S BUS LINES INC.; MAYO TOURS, INC.;
NORTENO EXPRESS LLC; ROADRUNNER
CHARTERS INC.; SOUTHWEST CREW
CHANGE COMPANY LLC; TRANSPORTES
REGIONMONTANOS INC. (D.B.A. AUTOBUSES
REGIONMONTANOS); VLP CHARTER LLC;
WINDSTAR LINES INC.; and WYNNE
TRANSPORTATION LLC.,

Defendants.

1:24-cv-00326-VSB

**DECLARATION OF
TANAZ MOGHADAM
REGARDING SERVICE OF
PROCESS ON DEFENDANTS**

**DECLARATION OF TANAZ MOGHADAM REGARDING
SERVICE OF PROCESS ON DEFENDANTS**

Pursuant to 28 U.S.C. § 1746, Tanaz Moghadam declares the following:

1. I am a Pro Bono Attorney with the law firm Paul, Weiss, Rifkind, Wharton & Garrison LLP ("Paul, Weiss"), attorneys for the Plaintiff Commissioner of the New York City Department of Social Services in the above-captioned action. I am admitted to practice law in New York State, Washington, D.C. and the Southern District of New York. I am intimately familiar with the steps our firm has taken to serve process on all Defendants named in the Verified Complaint filed in the Supreme Court of the State of New York on January 4, 2024.

2. The purpose of this declaration is to update the Court on additional steps that the Plaintiff has taken to serve the papers Plaintiff filed or was required to serve on Defendants in the above-captioned case as well as the case initially filed in the Supreme Court of the State of New York that was removed to this Court on January 16, 2024 (N.Y.S. Index No. 150122/2024).

3. On January 26, 2024, a paralegal with Paul, Weiss received a phone call from an individual who works at a business located at 98 Village Pointe Drive, Powell, OH 43065 (“Village Pointe Drive address”). This is the business address for Buckeye Coach LLC that is on file with the Secretary of State for its state of incorporation—Ohio. Attached as Exhibit A are true and correct copies of the documents on Buckeye Coach LLC that Paul, Weiss obtained from the Ohio Secretary of State’s website reflecting that Buckeye Coach LLC’s business address is the Village Pointe Drive address.

4. The individual, George Greco, informed the Paul, Weiss paralegal that Buckeye Coach LLC has not been operating out of the Village Pointe Drive address for the last three years. Mr. Greco stated that a neighboring tenant has been signing for or receiving all of the FedEx delivery packages that were sent from Paul, Weiss to Buckeye Coach LLC. Undersigned counsel confirms that Paul, Weiss never received any notifications from FedEx that our mailings were not delivered or unable to be delivered.

5. By the next business day after receiving this information, on January 29, 2024, Paul, Weiss e-mailed and caused to be mailed by FedEx Overnight Delivery copies of all documents Plaintiffs have filed and were required to serve in the above-captioned case¹ and the related

¹ Specifically, the following papers were mailed: Notices of Appearance (Dkt. No. 4-6); Declaration of Tanaz Moghadam re Service of Process on Defendants (Dkt. No. 7); Letter Motion for Conference re Plaintiff’s January 4, 2024 Application for a Preliminary Injunction (Dkt. No. 8); Order granting Letter Motion for Conference (Dkt. No. 9); and Affidavit of Service of Order (Dkt. No. 10).

Supreme Court of the State of New York case² to Elliot J. Kudisch, who entered an appearance as counsel for Buckeye Coach LLC on January 26, 2024, at his business address: Andrews Myers, P.C., 1885 Saint James Place, Ste. 15th Floor, Houston, TX 77056.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 29, 2024

A handwritten signature in black ink, appearing to read 'EK', is written over a horizontal line.

² Specifically, the following papers were mailed: Summons and Verified Complaint (NYSCEF Doc. No. 1); Order to Show Cause Signed by the Honorable Mary V. Rosado (NYSCEF Doc. No. 8); Plaintiff's Memorandum of Law in Support of Her Application for a Preliminary Injunction (NYSCEF Doc. No. 3); Affirmation of N.Y.C. Department of Social Services Commissioner Molly Park (NYSCEF Doc. Nos. 4-5); Affirmation of Tanaz Moghadam (NYSCEF Doc. No. 6); Request for Judicial Intervention and the addendum thereto (NYSCEF Doc. No. 7); Notice of Electronic Filing (Mandatory Case) Form and the Rider thereto; Notice of Appearance (NYSCEF Doc. No. 9); and Decision + Order on Motion of Judge Mary V. Rosado (NYSCEF Doc. No. 12).

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of January, 2024, I caused a copy of the foregoing document to be served upon all counsel of record via the Court's CM/ECF system.

/s/ Steven Banks

Steven Banks